
Public Utilities Commission of the State of California

***Public Agenda 3081
Thursday, January 31, 2002, 10 a.m.
San Francisco, California***

**Commissioners
Richard A. Bilas
Geoffrey Brown
Henry M. Duque
Lorretta Lynch
Carl Wood**

For each agenda item, a summary of the proposed action is included; the Commission's decision may, however, differ from that proposed.

Website: <http://www.cpuc.ca.gov>

Scheduled Commission Meetings 505 Van Ness Avenue, San Francisco

<i>Ratesetting Deliberative Meeting*</i> Room 5305 (1:30 p.m.) <i>Closed to the Public</i>	<i>Commission Meeting</i> Auditorium (10 a.m.) <i>Open to the Public</i>
	Thursday, January 31, 2002 (san francisco)
	Friday, February 01, 2002 (san francisco)
	Thursday, February 07, 2002 (San Francisco)

**Ratesetting Deliberative Meeting dates are reserved as noted but will be held only if there are ratesetting matters to be considered and a Commissioner has requested that a Ratesetting Deliberative Meeting be held.*

Matters of Public Interest

For the convenience of the public and media representatives, items of widespread public interest will be taken up at the beginning of the meeting.

For further information contact the Public Advisor
(415) 703-2074 E-mail: public.advisor@cpuc.ca.gov



This location is accessible to people with disabilities. If specialized accommodations for the disabled are needed, e.g. sign language interpreters, please call the Public Advisor at (415) 703-2074 or TTY# (415) 703-5282 or toll free # 1-866-836-7825 three business days in advance of the meeting.

PUBLIC COMMENT

The following items are not subject to public comment:

- All items on the closed session agenda; these are HEX and EX items.
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Public Comment:

Re CA-3: jane doe, santa clara

Re T-1: john3, sacto

Re ALJ-1: john3, sacto

Consent Agenda

Items shown on the Consent Agenda will be taken up and voted on as a group in one of the first items of business of each Commission meeting. Items may be removed from the Consent Agenda for discussion on the Regular Agenda at the request of any Commissioner prior to the meeting.

Orders and Resolutions

**CA-3 C00-04-039 - Utility Consumers' Action Network (UCAN) vs. Choctaw
116 Communications, Inc. dba Smoke Signal Communications.**

This decision awards UCAN \$7,699.04 in compensation for its contribution to D01-04-038. This proceeding is closed.

(Comr Wood - ALJ Evans)

Outcome: Signed

Yes: (Bilas, Brown, Duque, Lynch, Wood)

No: (none)

Abstain: (none)

Absent: (none)

**CA-4 A00-11-053 - Del Oro Water Company (Del Oro).
112**

Del Oro seeks Commission resolution of a dispute over the validity of certain main extension agreements it entered into with developers and others in Del Oro's Lime Saddle

District. . This decision concurs with a staff analysis and audit and finds that the main extension agreements comply with the utility's tariffs and that Del Oro has properly accounted for funds collected through these agreements. This proceeding is closed.

Outcome: Signed

Yes: (Bilas, Brown, Duque, Lynch)

No: (none)

Abstain: (none)

Absent: (none)

CA-5 (Rev.) Res TL-18982 - RSCD**70**

This resolution adjusts the rates in Maximum Rate Tariff 4, governing the transportation of used household goods and personal effects by household goods carriers.

This item appeared as (T-2) on the agenda distributed to the public.

Outcome: Held

Yes: (none)

No: (none)

Abstain: (none)

Absent: (none)

Regular Agenda

Administrative Law Judge Division Reports and Resolutions

**ALJ-1
(Rev.)
111**

Res ALJ-176-3079 -

Ratification of preliminary determinations of category for proceedings initiated by application. The preliminary determinations are pursuant to Article 2.5, Rules 4 and 6.1 of the Commission's Rules of Practice and Procedure.

This item appeared as (CA-1) on the agenda distributed to the public.

Outcome: Approved

Yes: (Bilas, Brown, Duque, Lynch, Wood)

No: (none)

Abstain: (none)

Absent: (none)

Commissioners' Reports

**CR-1
120**

Commr Wood Report -

Discussion of the CPUC's involvement in the new Western Electricity Coordinating Council, which will replace the Western States Coordinating Council and other regional transmission reliability groups.

Outcome: Information Only

Yes: (none)

No: (none)

Abstain: (none)

Absent: (none)

Rail Safety and Carrier Division Reports and Resolutions**T-1 Res TL-18983 - Amrik Singh dba Reno Airport Shuttle**

115 This resolution grants the request of Amrik Singh for voluntary suspension of his passenger stage corporation certificate for six months.

Outcome: Defeated

Yes: (Lynch)

No: (Bilas, Brown, Duque)

Abstain: (none)

Absent: (Wood)

Utilities Resolutions and Written Reports***Energy Matters*****E-1 Res G-3322 - Pacific Gas and Electric Company (PG&E), Southern California
92 Edison Company (SCE) and Southern California Gas Company (SoCalGas).**

PG&E requests authority for interim funding of its low-emission vehicle program starting January 1, 2002 and continuing through the effective date of the rates resulting from a Commission decision issued in PG&E's next general rate case. SCE requests authority to extend its Electric Vehicle Adjustment Clause mechanism until December 31, 2002. SoCalGas requests authority for interim funding of its low-emission vehicle program until the later of December 31, 2002, or the issuance of a final decision in its next base margin proceeding. This resolution grants, with modifications, the requests of PG&E, SCE, SoCalGas, except for PG&E Advice Letter 2164-E, which is denied. San Diego Gas & Electric Company is ordered to file an application as described in this resolution if they intend to continue their low-emission vehicle program beyond the current authorization provided in D95-11-035.

Outcome: Approved

Yes: (Bilas, Brown, Duque)

No: (none)

Abstain: (Lynch)

Absent: (none)

Telecommunications Matters**C-1 Res T-16615 - Specialized Telecommunications Services, Inc., International
114 Telephone Corporation, Tele*Star Communications, Interstate Savings, Inc., Valley
Acquisition Corporation, Heartline Communications, Inc., PSP Marketing Group,
Inc., Inland Call America, Inc., Business Telephone Network, Inc., Great Lakes
Telecommunications Corporation, Virginia Long Distance, Inc., Hi Rim
Communications, Inc., Host Network, Inc., Tricomm Technologies, Inc., Brittan
Communications, BFI Communications, Inc., Smartel Com**

This resolution revokes certificates of public convenience and necessity of 19 non-dominant interexchange carriers for failure to comply with Commission decisions.

**Outcome: Signed as Modified (Approved as modified my Bilas' comments at the
Meeting.)**

Yes: (Bilas, Brown, Duque, Lynch, Wood)

No: (none)

Abstain: (none)

Absent: (none)

Utility and Transportation Orders
Orders

- 1** **I01-04-002 -**
118 Order Instituting Investigation whether Pacific Gas and Electric Company (PG&E), Southern California Edison Company (Edison), San Diego Gas & Electric Company (SDG&E), and their respective holding companies, PG&E Corporation, Edison International, and Sempra Energy have violated relevant statutes and Commission decisions, and whether changes should be made to rules, orders, and conditions pertaining to respondents' holding company systems. A87-05-007, A94-11-013, A95-10-024, A96-10-038 - Related matters. . This interim decision interprets the "first priority" condition incorporated into the decisions approving the holding company systems of Respondents PG&E, Edison, and SDG&E, as well as their respective parent holding companies, PG&E Corporation, Edison International, and Sempra Energy. This decision concludes that the condition prohibits a holding company from (1) acquiring assets of its utility subsidiary for inadequate consideration, and (2) acquiring assets of its utility subsidiary at any price, if such acquisition would impair the utility's ability to fulfill its obligation to serve or to operate in a prudent and efficient manner.
 (Comr Lynch - ALJ Thomas)
Outcome: Held
 Yes: (none)
 No: (none)
 Abstain: (none)
 Absent: (none)
- 2 (Rev.)** **I01-10-003 -**
117 Order Instituting Investigation on the Commission's own motion into the operations and practices of Mineral City Water Company and its Owner and Operator, JoAnn Perkins, and Order to Show Cause why findings should not be entered by the Commission under Public Utilities Code Section 855. Mineral City Water Company, a regulated water company serving 172 connections in Tehama County, has stipulated at hearing that it is unable to adequately serve its ratepayers and that this inability has a potential adverse effect on public health. Accordingly, this decision directs the Commission's Legal Division, in coordination with the California Department of Health Services, to start proceedings in the Superior Court of Tehama County pursuant to Pub. Util. Code § 855 for appointment of a receiver to take possession of and operate, the water system. This proceeding is closed.
 (Comr Duque - ALJ Walker)
This item appeared as (CA-2) on the agenda distributed to the public.
Outcome: Signed ((4-1) Comr. Bilas will join Comr Brown's concurrence. Brown will file a concurrence. Comr Duque will file a separate concurrence.)
 Yes: (Bilas, Brown, Duque)
 No: (Lynch)
 Abstain: (none)
 Absent: (none)

Orders Held Over

**H-1
90****P01-08-044/R_____ - California Alliance of Information and Referral Services and Members of the Statewide 2-1-1 Steering Committee.**

For a Commission Order Instituting Rulemaking to adopt, amend or repeal a regulation pursuant to Public Utilities Code Section 1708.5 to implement 2-1-1 dialing in California. This decision initiates rulemaking into the implementation of 2-1-1 dialing services in California.

(Comr Duque - ALJ Sullivan)

Outcome: Signed ((4-0) Comr Lynch will file a concurrence.)

Yes: (Bilas, Brown, Duque, Lynch)

No: (none)

Abstain: (none)

Absent: (none)

Closed Session

This notice is furnished under Government Code Sections 11125 and 11126.3. The Commission will meet in Closed Session following the Public Session of its regularly scheduled meeting. In the Closed Session, the Commission may consider personnel matters as provided under Government Code Section 11126(a), institution of proceedings or disciplinary actions against any person or entity under the jurisdiction of the Commission as provided under Government Code Sections 11126(d)(2) and 11126(e)(2)(C)(i), and pending litigation as provided under Government Code Section 11126(e). Additional items may be added to the closed session agenda pursuant to Gov. Code Section 11126.3(d). If in Closed Session the Commission votes to appoint, employ, or dismiss a public employee, the Commission will thereafter reconvene in Open Session to make the disclosures required by Government Code Sections 11125.2 and 11126.3(f).

Non-Federal Items

Orders

EX-1 **- Conference with Legal Counsel – Applications for Rehearing**
121 Compilation of applications for rehearing recently filed with the Commission.

Outcome: Withdrawn

Yes: (none)

No: (none)

Abstain: (none)

Absent: (none)

EX-2 **A01-11-030 - Conference with Legal Counsel – Application for Rehearing**
122 Disposition of the application for rehearing of Resolution W-4308 filed by City of Point Arena on November 23, 2001. The Resolution granted an interim increase in rates, which

Outcome: Signed ((4-0-1))

Yes: (Bilas, Brown, Duque, Lynch)

No: (none)

Abstain: (none)

Absent: (none)

Orders Held Over

HEX-1**88****I _____ - Commission on its own motion**

Order Instituting Investigation on the Commission's own motion into the rate of return earned by Valencia Water Company (Valencia). By this order the Commission institutes an investigation into the operations and practices of Valencia to determine whether it has and will earn a rate of return in excess of that authorized by D94-12-020 and to establish the appropriate revenue requirement. This order also establishes a memorandum account in which all revenues in excess of those authorized by the 9.40% rate of return shall be placed, and requires Valencia to file a Notice of Intent to file its General Rate Case within

Outcome: Held

Yes: (none)

No: (none)

Abstain: (none)

Absent: (none)